IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 7514 of 2007(T)

PETITIONER:

DIPIN PAUL, S/O. T.C.PAULOSE,
AGED 30 YEARS, THOMBRA HOUSE, M.C.ROAD,
PERUMBAVOOR P.O., PERUMBAVOOR VILLAGE,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI
SRI.V.JOHN SEBASTIAN RALPH

RESPONDENTS:

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1. THE MARRIAGE OFFICER,
(UNDER SPECIAL MARRIAGE ACT), SUB REGISTRAR'S
OFFICE, PERUMBAVOOR, PERUMBAVOOR P.O.,
ERNAKULAM DISTRICT.

2. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY, DEPARTMENT OF REGISTRATION,
THIRUVANANTHAPURAM.

BY G.P.SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.7514 of 2007

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Dated this the 6th day of March, 2007.

JUDGMENT

Petitioner married on 22-5-2005. He has a child. The Church has recorded the factum of ceremonial marriage. Petitioner presently works in India and has an offer for better prospects in Germany and intends to go over with his family. On 20-2-2007, he applied for registration of the marriage under the Special Marriage Act.

2. In the aforesaid circumstances, following the judgment of the Division Bench of this Court in **John Lukose v. District Registrar (2007 (1) KLT 247)** and the judgment in W.P.(C)No.3419/07, it is directed that the marriage of the petitioner with his wife Anjumol will be registered in terms of Sections 15 and 16 of the Special Marriage Act, 1954, on their application, without awaiting for any noticed period. However, the first respondent shall put notice of such registration of marriage citing this judgment and if any valid

objections are received from any quarter within 30 days, petitioner would be put to notice of such objections in his respective address shown in this writ petition and the first respondent shall decide on such objections in accordance with law. If the objections are valid, the aforesaid registration of the marriage will be withdrawn. Let the registration be done within a period of three days of production of a copy of this judgment.

Writ Petition is disposed of with the above directions.

Thottathil B.Radhakrishnan,
Judge.

sl.